

## **REMARKS**

### **Specification**

The specification has been amended to include the status of the parent application. Entry of this amendment is respectfully requested.

### **Claim Rejections Under 35 U.S.C. § 112**

Claims 41-44 are rejected under 35 U.S.C. § 112 as being indefinite for failing to particularly point out and distinctly claim the subject matter. Specifically, claim 41 is rejected for failing to recite a step for the detection of a specific binding member. Claim 41 has been amended to recite a step for the detection of a specific binding member. Applicants respectfully request withdrawal of the rejection.

### **Double-Patenting Rejection**

Claims 21-44 stand rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over Claims 1-20 and 22-24 of U.S. Patent No. 6,361,958. A terminal disclaimer directed to 6,361,958 is enclosed herewith. Applicants respectfully request withdrawal of this rejection, and allowance of Claims 21-44.

Serial No.: 10/028,277  
Filed: December 19, 2001

If the Examiner has any questions, she is invited to call the undersigned at (415)  
781-1989.

Respectfully submitted,

DORSEY & WHITNEY LLP

Dated: 3/10/05

By: Renee M. Kosslak

**Customer No.: 32940**

Four Embarcadero Center

Suite 3400

San Francisco, CA 94111-4187

Telephone: (415) 781-1989

Facsimile: (415) 398-3249

Renee M. Kosslak, Reg. No. 47,717 for  
Robin M. Silva, Reg. No. 38,304

*Filed Under 37 C.F.R. § 1.34*